EXHIBIT 6

Case 2:24-cv-12513-SJM-CI ECF No. 14-9, PageID.158 Filed 11/08/24 Page 2 of 4

Menu

TCPAWorld

The World of the Telephone Consumer Protection Act

MIXED BAG: Famous Litigator Mark Dobronski (TCPAWorld's W.H.?) Wins Some and Loses Some in New TCPA Ruling

20 NOV 2023

ADD A COMMENT

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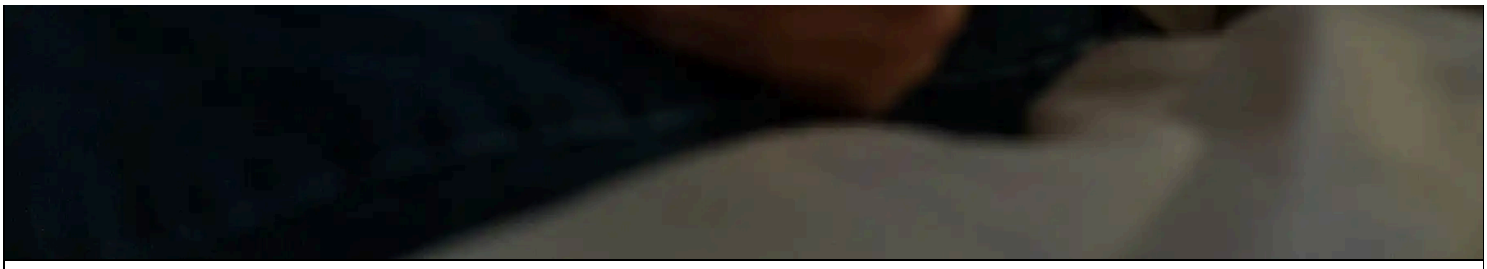

So Mark Dobronski is everyone's favorite.

He's filed numerous TCPA suits and is famous for his generally unpleasant disposition. He is also believed to be the cranky voice "W.H." that frequently stalks the comment section of TCPAWorld articles with generally demeaning commentary. Pleasant.

Regardless, in a recent case he sued a company for making calls that allegedly violated the TCPA as well as the individual who allegedly called him. He contended both the company and the caller violated the TCPA's rules preventing marketing calls without a DNC and a policy to provide training.

In *Dobronski v. Horvath,* 2023 WL 7924707 (E.D. Mich. Nov. 16, 2023) the Court rejected these claims finding they had been pleaded without any supporting facts. The Court also concluded Dobronski could not argue Defendant lacked an internal DNC policy because he had not alleged he asked for it pre-suit. And as to the individual Defendant the court found he could not be sued for the company's failure to train him–which makes sense.

Then again, the Court found Dobronski had stated a claim under the Michigan Home Solicitation Sales Act because it bans calls made to Michigan residents that are on the national DNC list. The court found Dobronski had adequately alleged both elements.

SO there you go. Dobronski lives on to fight on his state claim but loses two of his TCPA claims. Interesting little ruling on the limits of the internal DNC rules–nice to know individuals cant be sued when their employer fails to properly train them. That makes sense but this is the first case, to my knowledge, to so hold.

BTW–if you don't have a copy of Deserve to Win (Issue 2) be sure to subscribe now and save! Issue 3 will be out in January and will have the Real Associates of OC on the cover!